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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**
16

17 COMMUNITIES FOR A BETTER
18 ENVIRONMENT, a California non-profit
corporation, and BAYKEEPER, a
19 California non-profit corporation,

20 Plaintiffs,

21 vs.

22 OWENS ILLINOIS, dba OWENS-
BROCKWAY, a corporation,

23 Defendant.

24 CASE NO. CV 06-07853 JSW
25 JOINT REQUEST TO CONTINUE
26 CASE MANAGEMENT CONFERENCE
27 AND [PROPOSED] ORDER

28 Current CMC Date: January 25, 2008
Judge: Hon. Jeffrey S. White

(Federal Water Pollution Control Act, 33
U.S.C. §§ 1251 et seq.)

WHEREAS, an initial case management conference in this action was held on June 22, 2007 and a further case management conference is scheduled for January 25, 2008 at 1:30 p.m.;

WHEREAS, Plaintiffs, Communities for a Better Environment and Baykeeper, and Defendant, Owens-Illinois, (collectively the “Parties”) are engaged in good-faith settlement negotiations and have reached agreement as to the terms of settlement;

WHEREAS, the Parties anticipate executing a settlement agreement by January 31, 2008 and submitting it to this Court for its approval shortly thereafter;

GOOD CAUSE APPEARING THEREFORE, the Parties jointly request that the January 25, 2008 Case Management Conference be continued to a later date.

Dated: January 23, 2008

/s/

Amy Chastain¹
Attorney for Plaintiff
BAYKEEPER

/s/
Shana Lazerow
Attorney for Plaintiff
COMMUNITIES FO

/s/
Rocky Unruh
SCHIFF HARDIN LLP
Attorneys for Plaintiff
OWENS-BROCKWAY GLASS CONTAINER INC, sued
herein as OWENS ILLINOIS dba OWENS BROCKWAY

The Case Management Conference is CONTINUED to May 9, 2008 at 1:30 p.m.

IT IS SO ORDERED

Date: January 23, 2008

Jeffrey S. White
Hon. Jeffrey S. White
United States District Court Judge
Northern District of California

¹ As filing attorney, I attest that all counsel find the content of this document acceptable and have given me permission to electronically file this joint request on their behalf.